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Attorneys for Defendants  
SAN DIEGO UNIFIED SCHOOL DISTRICT and  
JAMES GOOD

**UNITED STATES DISTRICT COURT**  
**FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

KAYLA CASHMAN BY AND THROUGH  
HER GUARDIAN AD LITEM,  
BERNADETTE HILGEMAN; AND  
STEPHEN CASHMAN, AN INDIVIDUAL,

Plaintiffs,

v.

SAN DIEGO UNIFIED SCHOOL  
DISTRICT; JAMES GOOD,  
INDIVIDUALLY, and DOES 1 through 20,

Defendants.

CASE NO. 08 CV 0519-BEN (POR)

**REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF DEFENDANTS' REPLY IN  
SUPPORT OF MOTION  
TO DISMISS PURSUANT TO F.R.C.P.  
12(b)(1), (6)**

**[F.R.C.P. 12(b)(1),(6)]**

**DATE:** August 25, 2008  
**TIME:** 10:30 a.m.  
**COURTROOM.:** 3  
**JUDGE:** Hon. Roger T. Benitez

Defendants SAN DIEGO UNIFIED SCHOOL DISTRICT (the "District") and  
JAMES GOOD ("Mr. Good," and collectively with the District, the "Defendants") hereby request  
the Court to take judicial notice of the documents identified below and attached hereto, pursuant  
to Federal Rule of Evidence 201 and *Parrino v. FHP*, 146 F3d 699, 706 (1998):

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1 Exhibit "B" U.S. District Court, Southern District of California (San Diego) Civil  
2 Docket for Case No. 08 CV 0519-BEN (POR).  
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4 DATED: August 14, 2008

HIGGS, FLETCHER & MACK LLP

6 By: 

7 STEVEN J. COLOGNE, ESQ.  
8 MICHAEL R. GIBSON, ESQ.  
9 Attorneys for Defendants  
10 SAN DIEGO UNIFIED SCHOOL  
11 DISTRICT and JAMES GOOD  
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**EXHIBIT B**

**U.S. District Court  
Southern District of California (San Diego)  
CIVIL DOCKET FOR CASE #: 3:08-cv-00519-BEN-POR**

Cashman et al  
Assigned to: Judge Roger T. Benitez  
Referred to: Magistrate Judge Louisa S Porter  
Cause: 42:1983 Civil Rights Act

Date Filed: 03/20/2008  
Jury Demand: Plaintiff  
Nature of Suit: 360 P.L.: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Kayla Cashman**  
*by and through her guardian ad litem  
Bernadette Hilgeman*

represented by **Christopher W Bayuk**  
Bayuk and Associates Inc  
Pacific Western Bank Tower  
401 West A Street  
Suite 1400  
San Diego, CA 92101  
(619)232-7945  
Fax: (619)232-7953  
Email: cbayuk@bayuklaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Stephen Cashman**

represented by **Christopher W Bayuk**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**San Diego Unified School District**

represented by **Michael R Gibson**  
Higgs, Fletcher and Mack  
401 West A Street  
Suite 2600  
San Diego, CA 92101  
(619)236-1551  
Fax: (619) 696-1410  
Email: gibsonm@higgslaw.com  
**ATTORNEY TO BE NOTICED**

**Defendant**

**James Good**  
*individually*

represented by **Michael R Gibson**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant****Does 1 through 20****Guardian Ad Litem Party****Bernadette Hilgerman***Guardian ad Litem for plaintiff, Kayla Cashman*represented by **Christopher W Bayuk**

(See above for address)

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
03/20/2008	<u>1</u>	COMPLAINT with Jury Demand against San Diego Unified School District, James Good, Does 1 through 20 ( Filing fee \$ 350 receipt number 148977.), filed by Kayla Cashman, Stephen Cashman.(cap) (av1, ). (Entered: 03/21/2008)
03/20/2008	<u>2</u>	Summons Issued as to San Diego Unified School District, James Good, Does 1 through 20. (cap) (av1, ). (Entered: 03/21/2008)
04/01/2008	<u>3</u>	MOTION to Appoint ad Litem ad Litem <i>Bernadette Hilgerman</i> by Kayla Cashman. (Bayuk, Christopher) (joeh, ). (Entered: 04/01/2008)
04/02/2008	<u>4</u>	MINUTE ORDER issued by the Honorable Roger T. Benitez REFERRING MOTION: [3-1] MOTION to Appoint ad Litem filed by Kayla Cashman to Magistrate Judge Louisa S Porter for Order.(gxr) (Entered: 04/02/2008)
04/04/2008	<u>6</u>	ORDER granting <u>3</u> Motion to Appoint Bernadette Hilgerman, Esq., ad Litem. Bernadette Hilgerman rep by Christopher W Bayuk appointed. Signed by Judge Louisa S Porter on 04/04/08. (joeh)(kaj, ). (Entered: 04/07/2008)
05/23/2008	<u>7</u>	MOTION to Dismiss <i>Pursuant to F.R.C.P. 12(b)(1), (6)</i> by San Diego Unified School District. (Attachments: # <u>1</u> Memo of Points and Authorities Defendants' Memorandum in Support of Motion to Dismiss Pursuant to F.R.C.P. 12(b)(1), (6), # <u>2</u> Request for Judicial Notice Request for Judicial Notice in SUPport of Defendants' Motion to Dismiss Pursuant to F.R.C.P. 12(b)(1), (6), # <u>3</u> Proof of Service Proof of Service)(Gibson, Michael) (aje). (Entered: 05/23/2008)
05/30/2008	<u>8</u>	AMENDED DOCUMENT by San Diego Unified School District, James Good. Amendment to <u>7</u> MOTION to Dismiss <i>Pursuant to F.R.C.P. 12(b)(1), (6)</i> MOTION to Dismiss <i>Pursuant to F.R.C.P. 12(b)(1), (6)</i> <i>Corrected Proof of Service</i> . (Gibson, Michael) (joeh). (Entered: 05/30/2008)
06/10/2008	<u>9</u>	SUMMONS Returned Executed by Kayla Cashman. James Good served on 5/9/2008, answer due 5/29/2008. (Bayuk, Christopher) (leh). (Entered: 06/10/2008)
06/10/2008	<u>10</u>	SUMMONS Returned Executed by San Diego Unified School District. San Diego Unified School District served on 5/7/2008, answer due 5/27/2008. (Bayuk, Christopher) (jpp). (Entered: 06/10/2008)
06/12/2008	<u>11</u>	AMENDED COMPLAINT against all defendants, filed by Bernadette Hilgerman. (Attachments: # <u>3</u> Proof of Service)(Bayuk, Christopher). Modified

		on 6/17/2008 reattached all 13 pages of amended comp.(joeh). (Entered: 06/12/2008)
07/01/2008	<u>12</u>	MOTION to Dismiss <i>Pursuant to F.R.C.P. 12(b)(1), (6)</i> by San Diego Unified School District, James Good. (Attachments: # <u>1</u> Memo of Points and Authorities in Support of Motion to Dismiss Pursuant to F.R.C.P. 12(b)(1), (6)., # <u>2</u> Request for Judicial Notice in Support of Defendants' Motion to Dismiss Pursuant to F.R.C.P. 12(b)(1), (6)., # <u>3</u> Proof of Service)(Gibson, Michael) (joeh). (Entered: 07/01/2008)
07/07/2008	<u>13</u>	FILED IN ERROR <i>Amended Summons on Amended Complaint</i> against all defendants, filed by Kayla Cashman.(Bayuk, Christopher) Modified on 7/8/08 - Spoke w/ atty; must have summons on First Amended Complaint issued by a Clerk with a signature. (mdc) Modified on 7/10/2008 (joeh). (Entered: 07/07/2008)
07/08/2008	<u>14</u>	Summons on First Amended Complaint Issued as to San Diego Unified School District, James Good, Does 1 through 20. (jah) (Entered: 07/09/2008)
07/10/2008	<u>15</u>	Joint MOTION for Hearing to <i>Continue hearing date</i> by Kayla Cashman. (Attachments: # <u>1</u> Proof of Service)(Bayuk, Christopher) (lao). Contacted Attny re signature (Entered: 07/10/2008)
07/14/2008	<u>16</u>	ORDER, granting <u>15</u> Joint MOTION for Hearing to <i>Continue hearing date</i> filed by Kayla Cashman. Set/Reset Deadlines as to <u>12</u> MOTION to Dismiss <i>Pursuant to F.R.C.P. 12(b)(1), (6)</i> MOTION to Dismiss <i>Pursuant to F.R.C.P. 12(b)(1), (6)</i> .( Responses due by 8/11/2008, Replies due by 8/20/2008. Motion Hearing set for 8/25/2008 10:30 AM in Courtroom 03 before Judge Roger T. Benitez). Signed by Judge Roger T. Benitez on 07/10/08. (joeh)(av1). (Entered: 07/14/2008)
08/11/2008	<u>17</u>	RESPONSE in Opposition re <u>12</u> MOTION to Dismiss <i>Pursuant to F.R.C.P. 12(b)(1), (6)</i> MOTION to Dismiss <i>Pursuant to F.R.C.P. 12(b)(1), (6)</i> , <u>15</u> Joint MOTION for Hearing to <i>Continue hearing date August 15, 2008</i> filed by Kayla Cashman. (Attachments: # <u>1</u> Proof of Service)(Bayuk, Christopher) (Entered: 08/11/2008)

PACER Service Center			
Transaction Receipt			
08/12/2008 11:00:52			
PACER Login:	hf0026	Client Code:	100165-00336
Description:	Docket Report	Search Criteria:	3:08-cv-00519-BEN-POR
Billable Pages:	2	Cost:	0.16